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Date Mailed 11/11/2003

Serial No. 09/501,148

Filed February 9, 2000

Inventor Suffin et al.

For METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC  
BRAIN IMBALANCES USING QUANTITATIVE EEG

Petition to Correct Inventorship;  
Statement of W. Hamlin Emory;  
Statement of Stephen C. Suffin; and  
Statement of Assignee

File no.: 10701-006

Sender: LAC/RXN



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Inventor: Suffin et al.

For METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC  
BRAIN IMBALANCES USING QUANTITATIVE EEG

Petition to Correct Inventorship;  
Statement of W. Hamlin Emory;  
Statement of Stephen C. Suffin; and  
Statement of Assignee



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Stephen C. Suffin and W. Hamlin Emory (as amended)	Issued:	September 16, 2003
		Filed:	February 9, 2000
Patent No.:	6,622,036 B1	Art Unit:	3736
Serial No.	09/501,149	Examiner:	Robert L. Nasser
For:	METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN EMBALANCES USING QUANTITATIVE EEG	Attorney Docket No:	10701-006

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.324**

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.134(a), the assignee and all inventors of the above-identified patent hereby petition the United States Patent and Trademark Office ("USPTO") to correct the inventorship of the above-identified patent by adding **W. HAMLIN EMORY** as a co-inventor.

In support thereof and pursuant to 37 C.F.R. §1.134(b), the following documents are submitted herewith:

1. Statement of W. Hamlin Emory stating that the inventorship error occurred without any deceptive intention on his part (Tab 1);
2. Statement of Stephen C. Suffin agreeing to the correction of inventorship (Tab 2); and
3. Statement of Assignee CNS Response Inc., complying with 37 C.F.R. § 3.73(b) and agreeing to the correction of inventorship (Tab 3).

It is respectfully submitted that all the requirements of 37 C.F.R. §§ 1.324(a & b) have been met, that the present Petition should be granted, and that W. Hamlin Emory be

added as a co-inventor to the above-identified patent.

Please charge the estimated fee of \$130.00 pursuant to 37 CFR § 1.20(b) and any other fees that may be required to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

If any issues remain, the Examiner is invited to telephone the undersigned to discuss the same and to arrange for prompt and efficient handling of the above-captioned application.

Date: November 11, 2003

Respectfully submitted,



Laura A. Coruzzi

By: Rattan Nath.

(Reg. No.)

30,742

43,827

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees:	Stephen C. Suffin and W. Hamlin Emory (as amended)	Issued:	September 16, 2003
		Filed:	February 9, 2000
Patent No.:	6,622,036 B1	Art Unit:	3736
Serial No.	09/501,149	Examiner:	Robert L. Nasser
For:	METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG	Attorney Docket No:	10701-006

STATEMENT OF W. HAMLIN EMORY UNDER 37 C.F.R. § 1.324(b)(1)

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, W. HAMLIN EMORY, residing at 21609 Rambla Vista, Malibu, CA 90265,  
hereby declare and state as follows:

1. I have been inadvertently omitted as a co-inventor of the above-identified patent; and
2. The inventorship error of failing to include my name as a co-inventor of the above-identified patent occurred without any deceptive intention on my part.

Dated: 10-31-03

  
W. HAMLIN EMORY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees:	Stephen C. Suffin and W. Hamlin Emory (as amended)	Issued:	September 16, 2003
		Filed:	February 9, 2000
Patent No.:	6,622,036 B1	Art Unit:	3736
Serial No.	09/501,149	Examiner:	Robert L. Nasser
For:	METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG	Attorney Docket No:	10701-006

STATEMENT OF STEPHEN C. SUFFIN UNDER 37 C.F.R. § 1.324(b)(2)

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, STEPHEN C. SUFFIN, hereby declare and state as follows:

1. I am currently named as the only inventor of United States Patent No. 6,622,036 B1; and
2. I hereby consent to correct the inventorship by adding W. Hamlin Emory as a co-inventor of the above-identified patent.

Dated: 11/4/03

  
STEPHEN SUFFIN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees:	Stephen C. Suffin and W. Hamlin Emory (as amended)	Issued:	September 16, 2003
		Filed:	February 9, 2000
Patent No.:	6,622,036 B1	Art Unit:	3736
Serial No.	09/501,149	Examiner:	Robert L. Nasser
For:	METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG	Attorney Docket No:	10701-006

STATEMENT OF ASSIGNEE UNDER 37 C.F.R. § 1.324(b)(3)

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CNS RESPONSE, INC.(a corporation) by LEONARD BRANDT its President and CEO who is authorized to act on its behalf in patent matters, hereby declares and states as follows:

1. It is the assignee of the entire right, title, and interest in the above-identified patent by virtue of:

(i) an assignment from Stephen Suffin to CNS Response Inc. (copy attached), which has been recorded on June 15, 2000, at Reel 010904, Frame 0428, and

(ii) a supplemental assignment from Stephen C. Suffin and W. Hamlin Emory (copy attached), that is being submitted concurrently (copy attached) for recording in the United States Patent and Trademark Office.

2. It hereby consents to correct the inventorship of the above-identified patent by adding W. Hamlin Emory as a co-inventor of the above-identified patent.

CNS RESPONSE

BY:

Dated: \_\_\_\_\_

  
Leonard Brandt  
President and CEO  
CNS RESPONSE

Enclosure

Express Mail No. EV 326,325-04705 First Class Mail ( )  
Date Mailed NOVEMBER 14, 2003  
Serial No. 09/501,149 Filed FEBRUARY 9, 2000  
Inventor SUFFI, B. ET AL.  
For METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN  
IMBALANCES USING QUANTITATIVE EEG

- |  |  |
|--|--|
| <input type="checkbox"/> Affidavit/Declaration   | <input type="checkbox"/> Fee Address Indication Form                         |
| <input type="checkbox"/> Amendment ( ) Response  | <input type="checkbox"/> Fee Calculation                                     |
| <input type="checkbox"/> Application _____ pages   | <input type="checkbox"/> Issue Fee Transmittal                               |
| <input type="checkbox"/> _____ claims _____ drawing sheets                                     | <input type="checkbox"/> Notice of Appeal                                    |
| <input checked="" type="checkbox"/> Assignment <input checked="" type="checkbox"/> Cover Sheet | <input type="checkbox"/> Oral Hearing Request/Confirm                        |
| <input type="checkbox"/> Brief (in triplicate)   | <input type="checkbox"/> Petition to Extend Time _____ month(s)              |
| <input type="checkbox"/> Declaration & Power of Attorney                                       | <input type="checkbox"/> Petition under 37 C.F.R. _____                      |
| <input type="checkbox"/> Executed ( ) Unexecuted ( ) Copy                                      | <input type="checkbox"/> Power of Attorney                                   |
| <input type="checkbox"/> Declaration of Inventor(s)  | <input type="checkbox"/> ( ) by Assignee ( ) Associate ( ) with Revocation   |
| <input type="checkbox"/> Executed ( ) Unexecuted ( ) Copy                                      | <input type="checkbox"/> Request for Correction of Filing Receipt            |
| <input type="checkbox"/> Design Application  | <input type="checkbox"/> Sequence Listing w/Computer Readable and Paper Copy |
| <input type="checkbox"/> Disclaimer ( ) Disclaimer Fee   | <input type="checkbox"/> Small Entity Statement                              |
| <input type="checkbox"/> Disclosure Statement ( ) Form PTO-1449                                | <input type="checkbox"/> Status Letter                                       |
| <input type="checkbox"/> ( ) w/refs. ( ) w/o refs.   | <input type="checkbox"/> Transmittal Letter                                  |
| <input type="checkbox"/> Drawings, Formal  |  |
| _____ Sheets _____ Figures   |  |

Other: \_\_\_\_\_

File No. 10701-006 Sender: LAC/RKX



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WITNESS my hand and official seal

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Ventura

ss.

On November 4, 2003

Date

before me,

Dyanne Villanueva, Notary Public

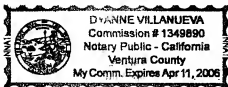
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared W. Hamlin Embury

Name(s) of Signer(s)

☐ personally known to me

☒ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: In the United States Patent and Trademark Office

Document Date: 10/31/03

Number of Pages: 1

Signer(s) Other Than Named Above: N/A

### Capacity(ies) Claimed by Signer

Signer's Name: W. Hamlin Embury

☒ Individual

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: N/A

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Ventura } ss.

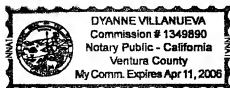
On November 4 2003 before me, Dyanne Villanueva Notary Public

Date  
personally appeared Stephen C. Suffin

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

(Name(s) of Signer(s))

- ☐ personally known to me  
☒ proved to me on the basis of satisfactory evidence



to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

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Title or Type of Document: In the United States Patent and Trademark

Document Date: 11/4/03

Number of Pages: 1

Signer(s) Other Than Named Above: N/A

### Capacity(ies) Claimed by Signer

Signer's Name: Stephen C. Suffin

- ☒ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: Himself

RIGHT THUMBPRINT  
OF SIGNER  
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